

BARA GOODING
Director



STATE OF WASHINGTON
DEPARTMENT OF COMMUNITY DEVELOPMENT

EMERGENCY MANAGEMENT DIVISION

4220 E. Martin Way • Post Office Box 48346 • Olympia, Washington 98504-8346
(206) 459-9191 • (SCAN) 585-9191

May 18, 1993

Mr. Dick Dixon, Chairman
Grays Harbor Communications
Administrative Board
Post Office Box 1845
Aberdeen, Washington 98520

Dear Mr. Dixon:

Dick

I am writing in response to your earlier letter regarding which jurisdictions are eligible to receive funds from the E9-1-1 account in the State Treasury. As requested, we met with our Assistant Attorney General, Suzanne Shaw, to review the appropriate RCWs and WACs and make a determination.

From reviewing the applicable RCWs and WACs, it was Ms. Shaw's opinion that counties are indeed the sole local jurisdictions eligible to receive funds from the state E9-1-1 account. She based her determination primarily on RCW 38.52.510, 38.52.540, and WAC 365-300. RCW 38.52.510 requires each county to install enhanced 9-1-1 communication systems so that enhanced 9-1-1 is available statewide by 1998. This RCW further requires the county to provide funding for the enhanced 9-1-1 system in an amount equal to the local 50¢ E9-1-1 tax or less if the county can provide full E9-1-1 service for less than 50¢ per access line.

RCW 38.52.540 states that monies in the state E9-1-1 account shall be used only to help implement and operate enhanced 9-1-1 statewide. As indicated, since RCW 38.52.510 makes implementation and operation a county responsibility, this adds further credence to the conclusion that the legislature intended state E9-1-1 funds to be distributed to county governments.

WAC 365-300-040 states that counties are the jurisdictions eligible to receive state E9-1-1 funds. In drafting this WAC, pursuant to RCW 38.52.510 and 38.52.540, it was the intention of this office that this mean county governments, not geographical areas, or political subdivisions within the counties. This does not, however, preclude the counties from distributing these monies within the county as they see fit as long as this would facilitate the legislative mandate of full E9-1-1 implementation by 1998.

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I hope that this information is helpful to you and the other members of the Grays Harbor Communications Administrative Board. If we can be of further assistance please don't hesitate to call.

Sincerely,



Bob Oenning
State E9-1-1 Coordinator

RG0:elh

cc: Suzanne Shaw
Jim Quackenbush